

Before the
UNITED STATES COPYRIGHT ROYALTY JUDGES
Washington, D.C.

In re

Determination of Rates and Terms for
Digital Performance of Sound Recordings
and Making of Ephemeral Copies to
Facilitate those Performances (*Web V*)

Docket No. 19-CRB-0005-WR (2021-2025)

**SOUNDEXCHANGE’S UNOPPOSED MOTION TO SUBMIT SECOND CORRECTED
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

SoundExchange, Inc., the American Federation of Musicians of the United States and Canada (“AFM”), Screen Actors Guild-American Federation of Television and Radio Artists (“SAG-AFTRA”), the American Association of Independent Music (“A2IM”), Sony Music Entertainment (“Sony”), UMG Recordings, Inc. (“UMG”), Warner Music Group Corp. (“WMG”), and Jagjaguwar Inc. (collectively, “SoundExchange”), through their undersigned counsel, respectfully move for leave to submit the attached second corrected version of SoundExchange’s Proposed Findings of Fact and Conclusions of Law. SoundExchange’s initial proposed findings were submitted on October 7, 2020. A corrected version was approved for filing by the Copyright Royalty Judges (Judges) and filed on October 16, 2020.

SoundExchange seeks leave to make non-substantive corrections. More specifically, SoundExchange seeks to correct typographical errors in page, exhibit, or paragraph numbers, to add missing pincites, to clarify a citation to a location in written testimony, to correct parenthetical identifications of testimony (e.g., where “WRT” was meant to be “WDT”), and to replace a citation to an exhibit with a citation to oral testimony about that exhibit.

Counsel for SoundExchange has identified these corrections via email correspondence to counsel for Sirius XM Radio, Inc., Pandora Media, LLC, the National Association of Broadcasters,

Google, Inc., and the National Religious Broadcasters Noncommercial Music License Committee, through which the Educational Media Foundation is participating (collectively, the “Services”). Counsel for the Services have informed SoundExchange they do not oppose this motion.

The corrected filing is appended to this motion as Exhibit A (clean version). A redline illustrating the corrections is appended to this motion as Exhibit B. SoundExchange respectfully requests that the Judges grant the motion and allow the filing of Exhibit A as SoundExchange’s Second Corrected Proposed Findings of Fact and Conclusions of Law.

CONCLUSION

For the foregoing reasons, SoundExchange respectfully requests that the Judges grant its Unopposed Motion to Submit Second Corrected Proposed Findings of Fact and Conclusions of Law.

Respectfully submitted,

Dated: October 16, 2020

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EXHIBIT A

Restricted version omitted.

EXHIBIT B

Restricted version omitted.

Proof of Delivery

I hereby certify that on Friday, October 16, 2020, I provided a true and correct copy of the SoundExchange's Unopposed Motion to Submit Second Corrected Proposed Findings of Fact and Conclusions of Law to the following:

Google Inc., represented by Kenneth L Steinthal, served via ESERVICE at ksteinthal@kslaw.com

National Religious Broadcasters Noncommercial Music License Committee, represented by Karyn K Ablin, served via ESERVICE at ablin@fhhlaw.com

Sirius XM Radio Inc., represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

Educational Media Foundation, represented by David Oxenford, served via ESERVICE at doxenford@wbklaw.com

Pandora Media, LLC, represented by Benjamin E. Marks, served via ESERVICE at benjamin.marks@weil.com

National Association of Broadcasters, represented by Sarang V Damle, served via ESERVICE at sy.damle@lw.com

Signed: /s/ David A. Handzo